

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE :
COMMISSION, :
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Plaintiff, :
:
-v- :
:
JASON W. GALANIS, et al., :
:
Defendant. :
:
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15-CV-7547 (VSB)

ORDER

VERNON S. BRODERICK, United States District Judge:

I am in receipt of the motion of the United States, by and through the United States Attorney for the Southern District of New York (the “Government”), seeking (1) to intervene in the above-captioned action, and (2) a stay of depositions, interrogatories, requests for admission, and production of transcripts of testimony before the Securities and Exchange Commission (“SEC”) and notes of interviews with, and any form of discovery that would create statements of, any person whom the Government asserts may be called as a witness in the criminal prosecution, until the conclusion of *United States v. Jason Galanis et al.*, No. 15-CR-643 (the “Criminal Action”), a criminal case the Government argues is parallel to this action.


A party may intervene when, among other circumstances, the party “claims an interest relating to the property or transaction that is the subject of the action, and is so situated that disposing of the action may as a practical matter impair or impede the movant’s ability to protect its interest,” in which case the party may intervene as a matter of right, Fed. R. Civ. P. 24(a)(2), or the party “has a claim or defense that shares with the main action a common question of law of fact,” Fed. R. Civ. P. 24(b)(1)(B). Because the Government has made a compelling argument

that its interests in the Criminal Action justify intervention, the Government's motion to intervene, (Doc. 7), is GRANTED.

While the SEC has indicated that it does not oppose the motion for a stay, (Doc. 8 at 2), Defendants have not yet appeared in this action.¹ The Government should file an affidavit of service of their motion on Defendants. The motion for a limited stay, (Doc. 7), is held in abeyance until such time that Defendants have appeared in this action or indicated whether they take a position on the motion.

SO ORDERED.

Dated: October 21, 2015
New York, New York


Vernon S. Broderick
United States District Judge

¹ The Government represents that counsel for Defendant Derek Galanis in the Criminal Action has indicated that he does not oppose the Government's motion for a stay. (Doc. 8 at 2.)